

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

| | | |
|-----------------|---|----------------------|
| CARMAN L. DECK, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | No. 4:12-CV-1527-JAR |
| |) | |
| TROY STEELE, |) | |
| |) | |
| Respondent. |) | |

MOTION FOR EXTENSION OF TIME

Respondent, by and through counsel, states as follows in support of his motion for extension of time in which to file a response to Deck's motion under Federal Rule Procedure 59(e).

1. That Respondent's response is due on May 18, 2017.
2. Respondent's response in this case is not yet complete do to counsel's responsibilities in *State v. Burney*, 16CG-CR01342, wherein counsel had a to appear for a sentencing hearing which took place on May 15, 2017, in Cape Girardeau. Counsel also had to appear in a PCR hearing in *Evans v. State*, 15WO-CV00193 which took place on May 17, 2017 in Worth County and a 491 hearing on *State v. Yung*, 16HD-CR00182-01 which will be taking place on May 18, 2017 in Howard County. Due to these activities, Respondent's response in this matter is not yet complete.

3. That the requested extension is not designed to vex or harass petitioner. Petitioner's substantive rights should not be adversely affected.

WHEREFORE, for the reasons herein stated, Respondent prays that the Court grant her motion for extension of time up to and including June 1, 2017.

Respectfully submitted,

JOSHUA D. HAWLEY
Attorney General

\s\ Katharine A. Dolin
KATHARINE A. DOLIN
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was electronically filed by using the CM/ECF system on this 17 day of May, 2017 and thereby served on Elizabeth Unger Carlyle and Kevin Louis Schriener, Attorneys for Petitioner.

\s\ Katharine A. Dolin

Katharine A. Dolin
Assistant Attorney General